

Senate File 350 - Introduced

SENATE FILE 350

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A BILL FOR

- 1 An Act relating to contract payments made by the state or an
- 2 agency of the state.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **72.6 Contract payments.**

2 1. The state or an agency of the state shall either make
3 full or partial payments as required under a contract or
4 provide a written statement to the other party to the contract
5 explaining the reason an invoice is in dispute within thirty
6 days of one of the following dates, whichever is earliest:

7 a. The date the state or an agency of the state receives an
8 invoice showing a payment is due and payable.

9 b. The date a payment becomes due and payable under a
10 contract.

11 2. For purposes of this section, receipt of an invoice
12 occurs at the time of actual physical or electronic delivery.
13 In a dispute regarding the date of the receipt of an invoice,
14 the burden of proof is on the state or agency of the state
15 to establish by a preponderance of the evidence the date of
16 receipt. An intake bates stamp using time and date and made
17 with a tamper proof stamping mechanism shall be considered
18 prima facie evidence of the date of receipt.

19 EXPLANATION

20 This bill relates to contract payments made by the state or
21 an agency of the state.

22 The bill requires the state or an agency of the state to
23 either make full or partial payments as required under a
24 contract or provide a written statement to the other party to
25 the contract explaining the reason an invoice is in dispute
26 within 30 days of the date an invoice is received or the date
27 a payment is due and payable under a contract, whichever is
28 earlier. The bill provides that in a dispute regarding the
29 date of the receipt of an invoice, the burden of proof is on the
30 state or an agency of the state to establish by a preponderance
31 of the evidence the date of receipt.